

Gary D. Sesser
 Ronald D. Spencer
 Judith M. Wallace
 CARTER LEDYARD & MILBURN LLP
 2 Wall Street
 New York, New York 10005
 (212) 732-3200
*Attorneys for Defendants Archivio Alighiero Boetti,
 Agata Boetti, Matteo Boetti and Annemarie Sauzeau*

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

| | |
|----------------------------------|---|
| -----X | |
| SPERONE WESTWATER INC. and | : |
| SPERONE WESTWATER GALLERY, LLC, | : |
| | : |
| Plaintiffs | : |
| | : |
| - against - | : |
| | : |
| ARCHIVIO ALIGHIERO BOETTI, AGATA | : |
| BOETTI, MATTEO BOETTI and | : |
| ANNEMARIE SAUZEAU, | : |
| | : |
| Defendants. | : |
| | : |
| -----X | |

Index No. 08 CV 03263 (RJH)
 (THK)

**NOTICE OF MOTION TO
 DISMISS THE COMPLAINT**

**ORAL ARGUMENT
 REQUESTED**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Declaration of Gary D. Sesser dated July 14, 2008; Declaration of Annemarie Sauzeau dated July 1, 2008; and Declaration of Andrea Barengi, dated July 1, 2008, Defendants the Archivio Alighiero Boetti, Agata Boetti, Matteo Boetti, and Annemarie Sauzeau ("Defendants"), by and through their attorneys Carter Ledyard & Milburn LLP, will move this Court, before the Honorable Richard J. Holwell, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date to be determined by the Court, for an order pursuant to Rules 12(b)(1), 12(b)(2), 12(b)(6), and 12(b)(7) of the Federal Rules of Civil

Procedure, dismissing the Amended Complaint and granting such other and further relief as this Court may deem just and proper.

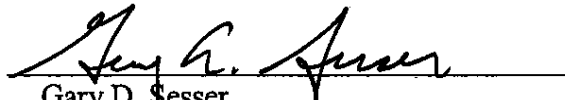
This motion is filed pursuant to an Order signed by this Court on June 13, 2008, in which Defendants were permitted to file a motion to dismiss the complaint and motion to stay discovery on or before July 14, 2008.

Defendants respectfully request that the Court hear oral argument with respect to this Motion.

Dated: New York, New York
July 14, 2008

CARTER LEDYARD & MILBURN LLP

By:



Gary D. Sesser

Ronald D. Spencer

Judith M. Wallace

2 Wall Street

New York, New York 10005

(212) 732-3200

*Attorneys for Defendants Archivio Alighiero Boetti,
Agata Boetti, Matteo Boetti and Annemarie Sauzeau*